UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,399	09/29/2000	Carl Bilicska	Bilicska 3-2	9208

7590 12/08/2006		EXAMINER
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ART UNIT	PAPER NUMBER
2165	

RESTON, VA 20195

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 September 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4,6-11,13 and 14</u> is/are rejected.

7)☒ Claim(s) <u>3,5 and 12</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 June 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on 29-September-2006, claims 1-3, 9, 11, and 13 are

   amended per applicant's request. Claims 1-14 are presently pending in the application, of

   which, claims 1 and 9 are presented in independent form.

2. Applicant's amendments have overcome the objections previously made to claims 1, 2, 9,

   and 11. The objections are therefore, withdrawn.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

   > The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
   > subject matter which the applicant regards as his invention.

4. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

   to particularly point out and distinctly claim the subject matter which applicant regards as the

   invention.

   Claims 1 and 3 are amended by the Applicant to recite the limitation, "operable to",

   followed by functional limitations, which renders the claim indefinite. A system being

   "operable to" indicates ability/capability of such system but not necessarily required

   functionality of the claimed invention. The Examiner cannot clearly establish whether the

functional limitations of "establishing" communications and access and "receiving" client

identifiers are indeed required functions of the claim.

Claims 2-8 are rejected under 35 U.S.C. 112, second paragraph, as dependents of

independent claim 1.

The Applicant can overcome the above rejection by amending the claims to change

"operable to" to "configured to, or by simply removing the word "operable" from the above

claims (e.g., "an authentication server to establish ....."; and, "said identification engine

receives client identifiers....".)

Appropriate corrections are required.

Claim Rejections – 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

6. Claims 1-14 *remain* rejected under 35 U.S.C. 101 because they include non-statutory subject

matter.

Claim 1 recites, "an automated authentication handling system", "comprising a server

operable to establish a two-way trusted communication link with an authenticated user", and

"establish access for the authenticated user". The claim fails to establish a clear result (leave

alone a "tangible", "concrete", and "useful" result.)

Claim 9 recites, "a method for automatically authenticating a client" comprising the steps

of "identifying clients", and "establishing a two-way trusted communication link between a

client and an application server....". the claim fails to establish a tangible result.

"Establishing" a "two-way trusted communication link with an authenticated user"

appears to be a decision based on whether or not the user is authenticated and further

depending on a list of application servers associated with a client identifier.

Neither independent claim mentioned above communicates (presents the result

"establishment of the link") to the user. Nor is any indication of such "established

communication" stored anywhere in memory.

"establishment of communication" between two entities (a server and an authenticated

user, in this case), by itself is not considered "tangible". The link may become tangible when

it is used to transfer/move elements between the two entities, which is not presently recited in

the rejected independent claims.

Claims 2-8 and 14 are rejected under 35 U.S.C. 101 as dependents of rejected claim 1.

Claims 10-13 are rejected under 35 U.S.C. 101 as dependents of rejected claim 9.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudbjartsson et al (U.S. Publication No. 2001/0027519 A1, hereinafter referred to as **Gudbjartsson**) in view of Reed et al (U.S. Patent No. 5,862,325, hereinafter referred to as **Reed**.)

As to claim 1, **Gudbjartsson** teaches an automated (see Abstract and see paragraph 3) authentication handling system (see paragraphs 8, 10, and 31) for use by clients (see paragraphs 29 and 31) on a network (see paragraphs 29, 31 and 34) comprising:

an authentication server (see paragraph 31, where "authentication server" is read on "system server 101 authenticates the user") operable to establish a two-way (see paragraphs 8, 29 and 30) trusted communication link (see "secure environment" in paragraphs 7 and 9; and see paragraphs 29 and 30, where "trusted" is the security provided by the 'firewall 202') with an authenticated user (see paragraphs 29, 31, 34, and 48) associated with a client identifier (see "personal identifiers" in paragraphs 30 and 56.)

Gudbjartsson does not teach access for the authenticated user to a list of application servers.

Reed teaches a computer-based communication system (see Abstract), in which he teaches a link (see column 26, lines 60-66) for access by an authenticated user (see column 26, lines 14-16) to a list of application servers (see figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104, lines 24-30.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified **Gudbjartsson** by the teaching of **Reed**,

because including a link for access by an authenticated user to a list of application servers,

would enable the system to provide secure means for authenticated clients to access desired

web sites hosted by various servers throughout a network. For example, the system can

provide a directory of partner service servers to the users, as taught by **Reed**.

As to claim 2, **Gudbjartsson** as modified teaches wherein the authentication server (see

Gudbjartsson, paragraph 31, where "authentication server" is read on "system server 101

authenticates the user") includes:

an identification engine configured to maintain collections of session assignments, each

of the session assignment collections being associated with the client identifier (see

Gudbjartsson, paragraphs 6-8, where "session assignment" is read on "security zones or

domains".)

As to claim 3, **Gudbjartsson** as modified teaches wherein said identification engine is

operable to receive client identifiers from said clients (see **Gudbjartsson**, paragraph 56) to

establish authenticated users (see **Gudbjartsson**, paragraph 37) and responsive thereto to

provide a user interface to access said application servers according to said associated session

assignments (see **Gudbjartsson**, paragraph 29.)

As to claims 4 and 5, **Gudbjartsson** as modified teaches wherein the authentication

server (see **Gudbjartsson**, paragraph 31, where "authentication server" is read on "system

server 101 authenticates the user") includes:

a communication initiator engine (see **Gudbjartsson**, paragraph 39) configured to

establish the trusted communication link between the authenticated users and an application

server (see **Gudbjartsson**, "secure environment" in paragraphs 7 and 9; and see paragraphs

29 and 30, where "trusted" is the security provided by the 'firewall 202'.)

As to claim 6, **Gudbjartsson** as modified teaches wherein the session assignments

include data fields (see **Reed**, column 67, line 64 through column 68, line 3) selected from

the group consisting of session timeout and application access level (see **Reed**, column 70,

line 63 through column 70, line 10.)

As to claim 7, **Gudbjartsson** as modified teaches wherein the client identifier includes a

user id (see **Gudbjartsson**, paragraph 35, where "user id" is read on "username") and

password (see **Gudbjartsson**, paragraphs 50-54.)

As to claim 8, **Gudbjartsson** as modified teaches wherein the authentication server (see

Gudbjartsson, paragraph 31, where "authentication server" is read on "system server 101

authenticates the user") includes a processor under the control of software (see "central

processing unit" in **Gudbjartsson**, paragraph 25) to:

receive an authentication signal from the client (see **Gudbjartsson**, paragraph 56, and see **Reed**, column 28, lines 25-37);

provide an application access interface to the client in response to the authentication signal (see **Reed**, figures 22-24); and

establish the trusted communication link between the client and an application server selected from the application access interface (see **Gudbjartsson**, "secure environment" in paragraphs 7 and 9; and see paragraphs 29 and 30, where "trusted" is the security provided by the 'firewall 202'.)

As to claim 9, **Gudbjartsson** teaches a method for automatically authenticating a client (see paragraphs 10 and 31) comprising the steps of:

providing an authentication server (see paragraph 31, where "authentication server" is read on "system server 101 authenticates the user");

identifying clients to access an application servers by the authentication server (see paragraphs 7 and 35); and

establishing a two-way (see paragraphs 8, 29 and 30) trusted communication link (see "secure environment" in paragraphs 7 and 9; and see paragraphs 29 and 30, where "trusted" is the security provided by the 'firewall 202') with an authenticated client (see paragraphs 29, 31, 34, and 48.)

Gudbjartsson does not teach a plurality of application servers and access by an authenticated user to a plurality of application servers associated with a client identifier.

For the above teaching, the applicant is directed to the remarks and discussions made in

claim 1 above, in view of the teachings of **Reed**.

As to claim 10, **Gudbjartsson** as modified teaches wherein the identifying step includes:

providing session parameters for each of the identified clients for at least one of the

application servers (see **Gudbjartsson**, paragraphs 6-8, and see **Reed**, column 34, lines 18-

47.)

As to claim 11, **Gudbjartsson** as modified teaches wherein the identifying step includes:

providing a user interface to the identified clients for accessing the application servers

(see **Gudbjartsson**, paragraphs 35 and 50-54, and see **Reed**, column 68, lines 9-13.)

As to claim 12, **Gudbjartsson** as modified teaches wherein said establishing step

includes:

using said session parameters (see **Gudbjartsson**, paragraphs 6-8) to establish said

trusted communication link (see **Gudbjartsson**, "secure environment" in paragraphs 7 and 9;

and see paragraphs 29 and 30, where "trusted" is the security provided by the 'firewall 202'.)

As to claim 13, **Gudbjartsson** as modified teaches wherein the user interface includes a

listing of application servers (see **Reed**, figures 30, 31A, and 31B, and see column 103, lines

61-67, and column 104, lines 24-30) and the establishing step is initiated following a

selection of an application server by a user from the user interface (see **Reed**, column 26,

lines 47-64.)

As to claim 14, **Gudbjartsson** as modified teaches the method further comprising a

plurality of application servers connected to the network (see **Reed**, figures 30, 31A, and

31B, and see column 103, lines 61-67, and column 104, lines 24-30), each requiring

authentication for access (see **Gudbjartsson**, paragraphs 37 and 48, and see **Reed**, column

153, lines 20-23.)

Allowable Subject Matter

9. Claim 3, 5, and 12 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims, **provided that the Applicant overcomes all rejections**

made in this case, under 35 U.S.C. 112 and 101, relating to these claims and to their

base (independent) claims.

Response to Arguments

10. Applicant's arguments filed on 29-September-2006 with respect to the rejected claims in

view of the cited references have been fully considered but they are either moot in view of

the new grounds for rejection or they are not deemed persuasive:

The Applicant's arguments regarding the rejections made under 35 U.S.C. 101 have been

fully considered but are not deemed persuasive. As detailed above in paragraphs 5-6,

"establishment of communication" between two entities (a server and an authenticated user,

in this case), by itself is not considered "tangible". The link may become tangible when it is

used to transfer/move elements between the two entities, which is not presently recited in the

rejected independent claims. Therefore, the Examiner maintains the rejections under 35

U.S.C. 101.

Applicant argues that, "Gudbjartsson does not disclose or suggest an authentication

server adapted to establish a two-way trusted communication link for access by an

authenticated user to a list of application servers associated with a client identifier. The

Examiner respectfully disagrees. Gudbjartsson clearly teaches an authentication server (see

paragraph 31, where "authentication server" is read on "system server 101 authenticates the

user") operable to establish a two-way (see paragraphs 8, 29 and 30) trusted communication

link (see "secure environment" in paragraphs 7 and 9; and see paragraphs 29 and 30, where

"trusted" is the security provided by the 'firewall 202') with an authenticated user (see

paragraphs 29, 31, 34, and 48) associated with a client identifier (see "personal identifiers" in

paragraphs 30 and 56; and as detailed above, Reed teaches a link (see column 26, lines 60-

66) for access by an authenticated user (see column 26, lines 14-16) to a list of application

servers (see figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104,
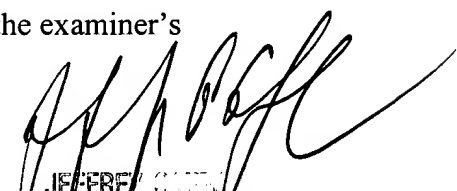
lines 24-30.)

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened statutory

period will expire on the date the advisory action is mailed, and any extension fee pursuant to

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of

this final action.

12. Any inquiries concerning this communication or earlier communications from the examiner

should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The

examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

JEFFREY C. ...
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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November 21, 2006